

SUPPORTING STATEMENT

Petition for Amerasian, Widow(er), or Special Immigrant

(Form I-360)

OMB No. 1615-0020

A. Justification.

1. As provided in 8 CFR 204 of the Immigration and Nationality Act (8 U.S.C. 1154), certain aliens seeking to immigrate to the United States may be classified under specific categories. These categories are as follows: an Amerasian; a widow or widower; a batter spouse or child of a U.S. citizen or lawful permanent resident; and a special immigrant (religious worker, Panama Canal Company employee, Canal Zone government employee, U.S. government employee in the Canal Zone, physician, international organization employee or family member, juvenile court dependent or armed forces member). Form I-360 is used by these aliens who seek to be classified as eligible for the benefit.
2. The Form I-360 may be used by several prospective classes of aliens who intend to establish their eligibility to immigrate to the United States. The information collected on this form is reviewed by the U.S. Citizenship and Immigration Services (USCIS) to determine if the petitioner may be qualified to obtain the benefit.
3. The use of this form currently provides the most efficient means for collecting and processing the required data. In this case the USCIS does not employ the use of information technology in collecting and processing information. Currently, the USCIS does not have the automated capability in place to accept electronic submission of applications. This form is available, however, for downloading from the USCIS Web Site.
4. A review of the USCIS Forms Inventory Report revealed no duplication of effort, and there is no other similar information currently available, which can be used for this purpose.

5. This collection of information does not have a significant impact on small businesses or other small entities.
6. The collection of information is required to determine that the petitioner may be classified as eligible for the immigration benefit. Without this specific form, these aliens would need to spend numerous hours studying the appropriate law and regulations to document their particular status in a detailed narrative or by other means. The Form I-360 facilitates public response, thereby helping to reduce the burden.
7. There are no special circumstances applicable to this information collection.
8. The USCIS published a notice in the Federal Register, notifying the public that it was extending this information collection. The notice allowed for a 60-day comment period; no comments were received during that period.
9. The USCIS does not provide payment or gifts to respondents in exchange for a benefit sought.
10. Information collected on battered spouses or children is protected by provisions of 8 CFR 103, 242 and 292. The self-petitioning spouse or child is also allowed to specify an alternative mailing address, if she or he does not want any USCIS notices sent to the petitioner's home address. There are not any confidentiality assurances for other aliens applying for the benefit.
11. There are no questions of a sensitive nature.
12. Annual Reporting Burden:
 - a. Number of Respondents 8,397
 - b. Number of Responses per Respondent 1
 - c. Total Annual Responses 8,397
 - d. Hours per Response 2
 - e. Total Annual Reporting Burden 16,794
 - f. Total Public Cost \$ 1,091,610

The projected hours per response for this collection of information were derived by dividing the process into three actions:

Learning about the law and the form:	15 minutes
Completion of the form:	20 minutes
Assembling and filing the form:	85 minutes
Total Hours	120 minutes (2 hours)

For the first two actions, tests were used to determine completion times. Persons who were not conversant with immigration processes were used to determine the average completion time. The third action of the form, assembling and filing the form, was broken down into subtasks. For example, an application for a reentry permit or refugee travel document is mailed directly to the USCIS Nebraska Service Center. Meanwhile, an application for advance parole is filed at the local USCIS office if the applicant is in the United States. If, however, the applicant seeking advance parole is outside the United States, he or she would mail the form to USCIS Headquarters in Washington, DC. Consequently, the time necessary to actually file the form can vary widely, depending on the circumstances of the applicant.

Annual Reporting Burden

The annual reporting burden is 16,794. This figure was derived by multiplying the number of respondents (8,397) x frequency of response (1) x (2) hours per response. This estimation is based on prior USCIS experience with the program.

Public Cost

The estimated annual public cost is \$ 1,091,610. This estimate is based on the number of respondents 8,397 x (2) hours per response x \$10 (average hourly rate) plus the number of respondents (8,397 x fee charge of \$190).

13. There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this information collection are identified in Item 14. *There is a \$190 fee charge associated with the collection of this information.*

14. Annualized Cost Analysis:

a.	Printing Cost	\$	5,290
b.	Collection and Processing Cost	\$	918,380
c.	Total Cost to Program	\$	923,670
d.	Fee Charge	\$	923,670
e.	Total Cost to Government	\$	0

Government Cost

The estimated cost of the program to the Government is calculated by using the estimated number of respondents (8,397) multiplied (x) by the suggested \$110 fee charge (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits, plus a percent for the estimated overhead cost for printing, stocking, distributing and processing of this form).

15. There has been a decrease in the estimated burden hours previously reported for this information collection as reported by actual receipts for this collection. The decrease represents an agency adjustment. The increase in the estimated cost burden for this collection from \$671,760 to 923,670 is attributed to the change in the fee charged for this application from \$80 to \$110.
16. USCIS does not intend to employ the use of statistics or the publication thereof for this information collection.
17. The USCIS is seeking approval to **not display** the expiration date of OMB approval of this information collection. The display of the expiration date would require the USCIS to pull and destroy current forms in its inventory that contain outdated expiration dates but could still be used because the information requested on the form is still valid except for the expiration date. In

addition, it will be impossible to revise the expiration dates on those forms already distributed to the public.

18. The USCIS does not request an exception to the certification of this information collection. See attached Item 19 of Form OMB 83-I.

B. Collection of Information Employing Statistical Methods.

Not Applicable.

C. Certification and Signature.

PAPERWORK CERTIFICATION

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

Richard A. Sloan

Director

Regulatory Management Division

Date